

In court with the Panthers

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# State prepares to railroad Panthers

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It has now BEEN almost two months since the famed "shootout," Dec. 8, between the Panthers and the police. In the time that has passed, a series of intricate legal maneuvers has been taking place between the defense lawyers for the Panthers and the police and district attorney's office.

All of the Panthers who were present at the Central Avenue office during the police assault are being held in jail without bail during their preliminary hearing. The hearing, which is now well into its third week, is being held to determine whether there is sufficient evidence to hold the Panthers over for trial. So far the hearing has been little more than a police show. The evidence as well as the testimony being presented is heavily weighted to support the police version of the "shootout." All of the weapons supposedly used by the Panthers against the police are neatly stacked in the corner of the court for all to see. From the testimony, it is obvious that the state (white corporate power structure) fully intends to railroad the Panthers into prison. The charges against the Panthers range from assault to conspiracy to murder police officers. From the State's view, the hearing is pretty cut and dried. A bunch of "dangerous niggers" shot at the police. Therefore they must be severely punished as an object example to other blacks and oppressed people.

On the occasions I have been in court, the proceedings have been about the same. The municipal court, where the hearing is taking place, is on the seventh floor of the Hall of (in)Justice. The courtroom itself is heavily guarded by marshals. Anyone "not authorized" at the hearing is thoroughly searched before being allowed to enter the courtroom. The presiding judge for the hearing is James Harvey Brown. The prosecution is being handled by Dept. Dist. Atty. Ronald H. Carroll. Heading up the Panther defense team is Atty. Leo Branton, Jr. The proceedings are always very slow and deliberative. Typical of what's happening here are the proceedings of Thursday, Jan. 22. Much

basis of information supplied to the police by an informer. Branton demanded that the identity of the informer be made known. The prosecuting attorney held that this could not be done because the informer's information was given to the police in the strictest confidence. As he has done throughout, the judge upheld the prosecution's argument. On nearly every point of contention between the Panther attorney and the prosecution, Judge Brown has supported the prosecution. Already, the judge has upheld the prose-

cution's attempt to enter the records seized by the police from the Panther offices as evidence. He has also consistently refused to rule on the legality of the search warrants. This has all been done over the objection of the Panther attorneys.

As the hearing has progressed, it has become clear that the police, the Dept. Dist. Atty. and the judge are all working together. For example, Callahan would not answer many of the questions Branton put to him.

(Please turn to page 13)

of the key testimony by the police was offered then. Police Sgt. Raymond Callahan, one of a long line of police officials who have been trotted out by the prosecution, was giving his testimony that day. The debate centered around the legality of the search warrant the police used to raid the Panther's offices. Callahan was the officer in charge of conducting the search at the Panther's Central Ave. office.

Branton has sought to prove that the warrant itself is illegal and the police search unconstitutional. As the testimony revealed, the search warrant was issued on the

The prosecution would always come to his defense; if Branton objected the judge would quickly overrule him.

At times, the Dept. Dist. Atty. seemed so intent on protecting Callahan that he would answer the questions by Branton for him, or attempt to direct his answers. In one instance, the judge even gave Callahan permission to consult in private with the prosecution before answering a question. Callahan apparently needed more coaching to remember his lines. At one time, Callahan, when asked a question by Branton, would either pause for a long time (which

the judge ruled was his right when Branton objected) or not answer. Not once did the judge direct him to answer the questions put to him by Branton.

It is by now all too apparent that racism has pervaded the entire hearing. Blacks in and out of court are constantly intimidated by white marshals. Many are threatened with expulsion from court on the least provocation. At the start of the hearing, the Panthers were brought into court in chains while the female defendants in the Tate case, all white, went into court looking like they had just come from a fashion show. Keep in mind that actual murder is involved in the Tate case. This, of course, further points up the corrupt nature of the legal system in America. In fact, the courts have become so overt in their racism that even those working within the legal system have become alarmed. A black jurist in Detroit, George Crockett, recently stated: "Traditionally law has functioned as the handmaiden of the propertied class in our society.

So it was to be expected that lawyers in the legislative halls, lawyers on the bench and lawyers in the executive branch of government would combine their talents to perpetuate by law this peculiarly American doctrine of racism ..."

The Panther hearing is going to be long and probably drawn out over the next couple of weeks. The police both locally as well as nationally are pulling out all stops in their effort to break the Panthers by destroying their leadership. The ruling class in America hopes by its strategy of jailings, beatings and murders of Panthers to stifle dissent. It is our job to see that this is not the case. Come and support the Panthers.